

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Tulare School District
Continuous Improvement Monitoring Process Report 2003-2004**

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Dates of On Site Visit: December 10, 2003

Date of Report: December 12, 2003

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data Sources:

- Comprehensive plan
- Child find articles
- Screening announcement
- Referral/evaluation/placement data
- File reviews

- Enrollment data
- Annual application for IDEA funds
- General district information
- Screening list

Promising practice

The steering committee concluded the district uses local interagency agreements to assist in the identification of students with disabilities in the district. The district sends an informative letter to parents of three and five year olds, informing them of preschool screenings and when they will take place.

Teachers have access to state content standards on the local area network. Analysis of student's performance on assessments drives ongoing development and training in the areas of curriculum and instruction for general and special education personnel.

Meets requirements

The steering committee concluded the district's child find activities are implemented annually through a combination of informing the public through newspaper articles, annual screening programs and on-going referrals from a variety of sources. Statistics from referrals, evaluations, and placements indicate that correct procedures are in place. There are no private schools in the district and the district has no students placed out of district.

The Dakota Step Test is standard based and charts progress for individuals with disabilities to determine if the levels of performance are consistently improving. It also charts the progress of the group as a whole.

District policy is altered to meet any new or revised policies/procedures regarding the development of IEP, uses of behavioral interventions and procedural safeguards.

The school district employs or contracts personnel who are licensed or certified, to work with children with disabilities. The special education teacher is working towards an early childhood special education endorsement.

District staff completed in-service training needs assessments and attended in-service training based upon the priority needs. Training was provided and is made available to special education paraprofessionals.

Validation Results

Promising practice

Through interview and a review of documentation, the monitoring team could not validate the areas identified by the steering committee as promising practices.

Meets requirements

The monitoring team agrees with all areas identified as meeting the requirements as concluded by the steering committee.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child

reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data Sources:

- Comprehensive plan
- Child count data
- District budget
- Annual IDEA application for funds
- Parent surveys
- Age and placement data table I
- Student file reviews

Meets requirements

The steering committee concluded a free appropriate public education (FAPE) is provided to eligible children three through 21 years old and the need for extended school year (ESY) services is determined annually for all students.

The district comprehensive plan procedures for suspension/expulsion meet the state/federal requirements. From 1999 to the present date, no students with disabilities have been suspended for more than 10 days or expelled.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting the requirements for free appropriate public education as concluded by the steering committee.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- MDT/eligibility report
- Comprehensive plan
- Student file reviews
- Compliance monitoring report
- Interview
- Teacher surveys
- Prior notice/consent
- Parent surveys
- CSPD needs assessment

Promising practice

The steering committee concluded general education teachers are involved in the process to determine all areas of suspected disability so that appropriate assessments can be selected.

Meets requirements

The steering committee concluded that qualified personnel administer all tests according to the producer's requirements. All tests are administered in each child's native language. Tests administered by the district are adequately standardized and valid. A statement regarding testing conditions is included the evaluation reports used to determine eligibility. Achievement tests are administered at every initial and reevaluation. Copies of the evaluation reports are sent to parents with the prior notice for the IEP meeting or given to parents at the IEP meeting. Test results are explained to parents.

The IEP team considers lack of instruction and limited English proficiency (LEP) when determining eligibility. The multidisciplinary team (MDT) written report is completed for students with specific learning disabilities and contains all required content. A copy of the MDT/eligibility report is given to the parents of students who are initially evaluated or re-evaluated for continued eligibility.

Parental consent is obtained for initial evaluations and five days notice is provided prior to holding IEP team meetings. Reevaluations are conducted at least every 3 years. Test results are used to help plan the child's IEP. Multiple efforts are made by the district to acquire parent consent for reevaluation. Students are evaluated prior to dismissal from special education. Initial evaluations are conducted before the provision of services.

Out of compliance

The steering committee concluded parent input in the evaluation process is not consistently acquired. Transition and functional evaluations are not consistently administered. Students are not assessed in all areas of suspected disability and data is not always sufficient to determine eligibility.

Evaluations need to consistently be completed within 25 school days after receipt of signed consent and more than one evaluation needs to be administered. Functional assessment data needs to be summarized in a report and a copy should be provided to the parents. Parental consent needs to be obtained for re-evaluation and all tests listed on the prior notice/consent need to be administered.

Validation Results**Promising practice**

Through interview and a review of student records, the monitoring team could not validate the general education teacher's involvement in the determination of student's suspected areas of disability as an area of promising practice as concluded by the steering committee.

Meets requirements

The monitoring team agrees with all areas identified as meeting the requirements for appropriate evaluation as concluded by the steering committee.

Through a review of student records, observation and interview, the monitoring team could not validate the following areas as out of compliance as concluded by the steering committee: parent input into evaluation, transition evaluation, evaluation in all areas of suspected disability, determination of eligibility, 25 school day evaluation timeline, multifaceted evaluation, consent for reevaluation and the administration of all tests listed on the prior notice. All documentation reviewed by the team indicated 100% compliance with each issue.

Out of compliance

24:05:25:04. Evaluation procedures.

The school districts shall ensure the child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

24:05:25:04. Evaluation procedures.

The school district shall ensure a variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, that may assist in determining whether the child is a child with a disability and the content of the child's IEP.

Through interview and a review of student files, functional assessment was not conducted in all areas of suspected disability in three of nine files reviewed. As a result, present levels of performance in student IEPs did not link to functional evaluation. A written report of functional assessment results was not available or provided to parents in four of nine files reviewed. The monitoring team notes that evaluations administered since the self assessment process began, have included the required procedures and reports. Continued efforts in this direction will result in full compliance with these requirements.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Parent rights brochure
- District comprehensive plan
- Surrogate parent technical assistance guide
- Comprehensive plan
- Prior notice/consent form
- Student file reviews
- Prior notice/consent form
- Data table L, complaints and hearings
- Parental rights brochure
- Data table L
- Complaints and hearings

Meets requirements

The steering committee concluded the parent rights brochure used by the district contains all required content and is provided to parents with every prior notice/consent and IEP team meeting. Comprehensive plan procedures address the requirements for appointing a surrogate parents.

Consent is acquired for extended school year (ESY) services and for the initial special education placement. Student files contained a record of access and a types/location document. Parents are provided copies of the IEP, assessment and eligibility reports. Family education rights and privacy act

(FERPA) information is published in the parent/student handbook. The district has not had a complaint or a request for due process within the past 5 years.

Out of compliance

The steering committee concluded tests have been administered that were not included on the prior notice/consent for evaluation document.

Validation Results

Meets requirements

The monitoring team agrees with all areas identified as meeting the requirements for procedural safeguards as concluded by the steering committee.

Out of compliance

24:05:25:03. Preplacement evaluation.

Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of this chapter. Evaluations must be completed within 25 school days after receipt by the district of signed parent consent to evaluate unless other timelines are agreed to by the school administration and the parents.

24:05:25:06.01. Consent for reevaluation.

Before conducting a reevaluation of an eligible child, parental consent is required, unless the district has documented every reasonable measure has been taken to acquire the consent.

Through interview and a review of student records, parent consent was not obtained for evaluations administered to 4 students. Two students received a transition evaluation without parental consent. Another student received an adaptive behavior and achievement evaluation without the provision of prior notice/consent. An aspergers syndrome diagnostic scale was administered and was not included on the prior notice/consent sent to the student's parent.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Teacher surveys
- Parent surveys
- Student file reviews
- Early intervention (Part C) exit information
- Hearings
- Monitoring
- Prior notice form
- Parent right brochure
- IEP form

- Student surveys
- Parent surveys
- Teacher surveys
- Child count

Promising practice

The steering committee concluded the prior notice document used by the district informs the parents that other individuals who have knowledge or special expertise regarding their child, including related services personnel, may be invited to the team meetings.

Meets requirements

The steering committee concluded students turning 14 years old and agency representatives are invited to attend IEP team meetings. Parents and teachers provided input into the development of student IEPs.

Parent input into the IEP process is documented. IEPs are reviewed annually, parents receive a copy of the IEP and services begin as soon as possible after the IEP is developed. The IEP team includes all the required members including a regular educator.

Needs improvement

The steering committee concluded students are not consistently informed that all rights transfer to them at age 18.

Out of compliance

The steering committee concluded documentation of positive behavior interventions/supports, behavior goals and objectives or a behavior program was not available for students who were evaluated due to behavior concerns. Transition goals, services and/or activities needed by the student were inconsistently documented. A course of study was not developed for all students beginning at age 14.

Statements written to justify placement decisions did not address why instruction could not be conducted in the regular classroom setting. Goals, objectives and services were not consistently based upon the student's present levels of performance and functional assessment. Short-term objectives did not consistently include conditions, performance and criteria. How and when progress will be reported to parents was not documented.

Validation Results

Promising practice

Through interview and a review of the administrative rules the monitoring team could not validate the district content of notice as a promising practice as concluded by the steering committee.

Meets requirements

The monitoring team agrees with all areas identified as meeting requirements for individual education program as concluded by the steering committee.

As a separate note, the team observed the following onsite demonstration of a student working on individual goals within the classroom setting: A student was observed in the Occupational Foods class. The student was budgeted \$40.00 to shop for Christmas presents from a retail store flyer. The student initially chose 4 items and then needed to decrease to 3 items to purchase. The student calculated the sub-total and added the 5% sale tax. Other activities included writing checks, counting out change and determining the dollar amount that could be put into a savings account. The student and teacher had a good rapport.

Through a review of student records, observation and interview, the monitoring team could not validate the following areas as out of compliance as concluded by the steering committee: positive behavior interventions and supports, transition services and goals linked to life planning outcomes, transition course of study, how and when progress is reported to parents and short-term objectives that include condition, performance and criteria. All documentation reviewed by the team indicated 100% compliance with each issue.

Needs improvement

The monitoring team agrees with all areas identified as needing improvement for individual education program as concluded by the steering committee.

Out of compliance

24:05:27:01.03. Content of individualized education program.

Each student's individualized education program shall include an explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and activities.

Through interview and a review of nine student files, the justification for placement statement in five IEPs did not address the instructional needs of the student that resulted in the need to be removed from the regular classroom setting. For example, "Resource room accepted because she can get help in this setting."

24:05:27:01.03. Content of individualized education program.

Each student's individualized education program shall include a statement of measurable annual goals.

Through interview and a review of student files, four of nine IEPs did not contain measurable annual goals. For example, "will improve vocabulary skills" and "will pass weekly spelling tests."

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan
- Parent surveys
- Student file reviews
- Data table F placement alternatives

Promising practice

The steering committee concluded modified grade level materials, based on the general education curriculum, are available for special education children.

Needs improvement

The steering committee concluded educators need additional training, information, and supports to implement IEPs and modifications and curriculum adaptations need to be implemented to meet the needs of students.

Validation Results

Promising practice

Through interview, the monitoring team could not validate the provision of modified material as a promising practice as concluded by the steering committee.

Needs improvement

The monitoring team agrees with all areas identified as needing improvement for least restrictive environment as concluded by the steering committee.